

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gerardus SWINKELS

Group Art Unit: 1744

Appln. No. : 10/559,671

Confirmation No: 2972

I.A. Filed : July 8, 2004

Examiner: Not yet assigned

For : DEVICE FOR CEREAL MALTING

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. Sections 1.56, 1.97, and 1.98, Applicant hereby submits the following documents for the Examiner's consideration which were cited in a Search Report conducted in International Patent Application No. PCT/CH2004/000435, which is a counterpart of the above-captioned application. Furthermore, Applicant hereby also submits a copy of the International Preliminary Examination Report, along with an English language translation. In particular, the International Examiner cited:

- (1) German Patent Application No. 21 21 586 published November 9, 1972, Moreover, for the Examiner's convenience, Applicant notes U.S. Patent No. 3,849,255 issued November 19, 1974 to SCHLIMME et al., which is identified by the Annex to the Search Report as a U.S. patent family member of the above-cited German Application;
- (2) U.S. Patent No. 915 968 issued March 23, 1909 to KIRKPATRICK;
- (3) German Patent Application No. 17 932 published May 16, 1882; and



(4) German Patent Application No. 732 739 published March 10, 1943.

Each of the above-cited documents are listed on the enclosed completed copy of the PTO-1449 Form. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the first official communication.

Moreover, copies of the International Search Report, the International Preliminary Examination Report and the cited non-U.S. patent documents are being submitted herewith. However, pursuant to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R 1.98 (a)(2)(i), copies of the cited/listed U.S. patents and U.S. published patent applications are not enclosed herewith. Moreover, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Applicant notes that while this Information Disclosure Statement is being filed more than three months from the filing date, Applicant has not received a first action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

However, if the first action on the merit has been mailed prior to the filing date of this Information Disclosure Statement, Applicant hereby authorizes the Commissioner to charge any fees necessary to ensure consideration of the documents cited herein to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Gerardus SWINKELS



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FORM PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. P28809		Application No. 10/559,671	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Applicant Gerardus SWINKELS			
				Filing Date July 8, 2004		Group 1744	
U.S. PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3 8 4 9 2 5 5	11/19/74	SCHLIMME et al.			
		9 1 5 9 6 8	03/21/09	KIRKPATRICK			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
		2 1 2 1 5 8 6	11/09/72	GERMANY			
		1 7 9 3 2	05/16/1882	GERMANY			
		7 3 2 7 3 9	03/10/43	GERMANY			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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